THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—" (a) The proposal to construct a vented dam at Moolakkatav to prevent ingress of sea water into paddy fields is under examination by local officers.

" (b) It cannot be said now when the work will be sanctioned, and begun."

SRI K. P. GOPALAN :—" Sir, I want to make a minor correction. The place referred to as Vengore in the question is Vengara.

" As the Collector has recommended the construction of an anicut under the National Extension Service Schemes, as an anicut is proposed to be constructed and as the entry of salt water into paddy fields is the biggest problem there, will the Government be pleased to consider this scheme sympathetically? "

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—" In this particular case, the Collector has actually dropped the scheme before as being of very poor grow more food value because by spending over three lakhs of rupees, the additional yield of paddy will be only 20 tons. But now a new situation has arisen. It is reported in a weekly that the people of the area will be able to make a contribution and that one Mr. Samuel Aaron will be able to make a substantial contribution. So the scheme is being investigated. That is why I said that the matter was under consideration and that the time when the work would be sanctioned and begun could not be said now."

SRI V. R. KRISHNA AYYAR :—" Inundation of salt water into the fields is common in North Malabar and in some portions of South Malabar. As construction of small dams will be very beneficial to Malabar, may I request the Government to order a general survey in Malabar and call for a report before the proposals for the Second Five-Year Plan are finalised so that such dams as are found necessary may be included in the plan? "

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—" The suggestion will be considered."

Laccadive Islands.

* 1904 *Q.*—SRI V. R. KRISHNA AYYAR : Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) whether the Government have passed any orders restricting or preventing Indians from the mainland going to Laccadive group of islands;

(b) if so, when;

(c) whether the Government have any proposal to remove such restrictions;

(*d*) whether the Government have any proposal to run a weekly steamer service to these islands;

(*e*) who is the local representative of the Government at present in these islands;

(*f*) what is his pay and scope of powers; and

(*g*) whether the Public Service Commission select the candidates for appointments in Government service in these islands?

THE HON. SRI B. PARAMESWARAN :—" (*a*) & (*b*) A system of passports introduced by the Collector of Malabar in 1927 to control the entry of mainlanders into the islands is in force.

" (*c*) No..

" (*d*) The Government are making efforts to have a monthly steamer service operated.

" (*e*) & (*f*) An Amin on Rs. 45 to 50 per mensem in each of the islands. The Amin tries civil and criminal cases, maintains law and order and collects the revenue due to the Government.

" (*g*) The Amins and clerks under them and the elementary school teachers in the islands are not selected by the Madras Public Service Commission. The Medical officers and their staff who are deputed from the mainland by the Director of Medical Services are among persons selected by the Commission."

9–20 a.m. SRI V. R. KRISHNA AYYAR :—" Sir, are the Government aware of the fact that the regulations restricting the citizens of Madras State entering into another part of Madras State like the Laccadive group of islands are utterly *ultra vires* of and obnoxious to the Constitution and proceedings are pending in the High Court to declare those regulations as *ultra vires* of the Constitution? Before the High Court takes the credit for declaring them as null and void, will the Government recognize this unconstitutional position?"

MR. SPEAKER :—" As the matter is before the High Court, it is *sub judice*. The hon. Member wants an answer before the High Court pronounces a judgment over it."

SRI P. RAMAMURTHI :—" Whether the High Court recognises that fact or not, the Government of Madras can recognise a particular position. It does not preclude the Government from exercising its discretion in the matter and understanding what the position is and acting upon it. That is why the question arises. Since the Government have so far done an act which, according to the petitioners, is an act which is *ultra vires* of the Constitution, they have gone to the High Court, but it is certainly open to the Government, even before the High Court actually pronounces judgment, to recognise the position."

MR. SPEAKER :—" What I want to know is how it can form the subject-matter of a question."

4th August 1955]

SRI P. RAMAMURTHI :—" Sir, the point is whether the Government will act in a particular way independently of what the Judiciary may say."

THE HON. SRI B. PARAMESWARAN :—" Now that the matter is pending in the High Court, we better wait till a decision is given by the High Court."

SRI V. R. KRISHNA AYYAR :—" On a point of order, Sir. The supplementary question is sought to be overruled on the ground that the matter is *sub judice*."

MR. SPEAKER :—" Not only on the ground that it is *sub judice* but also because I have to finish the rest of the questions put in the agenda." (Laughter.)

SRI V. R. KRISHNA AYYAR :—" Sir, I only want to clarify the position regarding the doctrine of *sub judice*. The question is whether the High Court declares it as null and void or not, are Government prepared to scrutinize the legality of the position? "

MR. SPEAKER :—" If I allow the supplementary question, then naturally the Hon. Minister will have to go into the merits of the question. So I have to judge whether we are going into the merits of the question."

SRI P. K. GOPALAKRISHNAN :—" Sir, another point of order. The first part of the question may be *sub judice*. I do not question that. But there are also other questions like whether the Government have any proposal to run a weekly steamer service, etc."

MR. SPEAKER :—" The question whether there is a proposal to run a weekly steamer service has come up before the House a number of times."

SRI T. C. NARAYANAN NAMBIAR :—" Sir, will the Hon. Speaker be pleased to allow a half-hour debate on this important matter? "

MR. SPEAKER :—" It will not be possible to-day. We have to rise at 1-30 p.m."

SRI T. C. NARAYANAN NAMBIAR :—" Sir, will it not be possible to have it on some other day? "

MR. SPEAKER :—" I shall consider that. Now, we shall pass on to the next question."

Alleged assault of the Panchayat Officer, Ilayangudi.

* 1905 Q.—SRI G. GOVINDAN : Will the Hon. the Minister for Local Administration be pleased to state the action taken by the Government on the resolution of the Ilayangudi Panchayat Board in the Paramakudi taluk of the Ramanathapuram district